

ABDUL AL-HAKEEM AFIZ,)
a/k/a Miron Kenneth Taylor,)
)
Petitioner,)
)
v.) No. 4:08CV1126 JCH
)
MISSOURI STATE PUBLIC)
DEFENDERS SYSTEM,)
)
Respondent.)

This matter is before the Court on petitioners petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition is successive and shall be summarily dismissed.

Rule 4 of the Rules Governing § 2254 Cases in the United States District Courts provides that a district court shall summarily dismiss a § 2254 petition if it plainly appears that the petitioner is not entitled to relief.

The petition seeks to challenge petitioner's May 18, 2000, conviction by the Circuit Court for the City of St. Louis. Petitioner previously filed a petition for writ of habeas corpus in this Court challenging that conviction. See Afiz v. Dormire, 4:06CV426 JCH (E.D. Mo.). The Court denied that petition on April 9, 2007. Id. The

United States Court of Appeals for the Eighth Circuit denied petitioner's application for certificate of appealability on February 14, 2008.

To the extent that petitioner seeks to relitigate claims that he brought in his original petition, those claims must be denied pursuant to 28 U.S.C. § 2244(b)(1). To the extent that petitioner seeks to bring new claims for habeas relief, petitioner must obtain leave from the United States Court of Appeals for the Eighth Circuit before he can bring those claims in this Court. 28 U.S.C. § 2244(b)(3)(A). Petitioner has not been granted leave to file a successive habeas petition in this Court. As a result, the petition shall be dismissed.

Accordingly,

IT IS HEREBY ORDERED that Boyd's petition for writ of habeas corpus is **DISMISSED**.

Dated this 18th Day of August, 2008.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE